

V. Doyle
RESPONSE UNDER 37 C.F.R. § 1.116 #11/BNE

EXPEDITED PROCEDURE

EXAMINING GROUP 3743 11-17-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appl. No. : 09/927,892
Applicants : Robert T. Stephen et al.
Filed : August 10, 2001
TC/A.U. : 3743
Examiner : Josiah Cocks

Confirmation No.: 4789

Docket No. : 217 P 759
Customer No. : 34540

Title : SUPPORT FRAME BARBECUE GRILL ASSEMBLY

REPLY TO FINAL OFFICE ACTION OF SEPTEMBER 9, 2003

Mail Stop AF
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Pursuant to 37 C.F.R. § 1.116, this Amendment is submitted within two months of the mailing date of the Final Office Action of September 9, 2003. Please amend the above-identified Application as follows and reconsider the Application in view of the amendments and remarks below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.

**Wallenstein
Wagner &
Rockey**
INTELLECTUAL PROPERTY LAW

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Facsimile Transmittal Sheet

| | |
|---|--------------------------------------|
| To: Examiner Josiah Cocks | From: Peter M. Siavelis |
| Company: U.S. Patent & Trademark Office | Date: November 10, 2003 |
| Fax Number: 1-703-872-9303 | Number of Pages: 22 |
| Your Reference Number: 09/927,892 | Sender's Reference Number: 217 P 759 |

Re: Reply to September 9, 2003 Office Action for Application Serial No. 09/927,892

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187395.1

Comments/Notes:

Enclosed, please find:

- Amendment Transmittal, 2 pages, in duplicate
- Response to September 9, 2003 Office Action, 19 pages
- Certificate of Facsimile Transmission

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AMENDMENT TRANSMITTAL

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 Commissioner For Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Transmitted herewith is an Amendment in the above-identified Application. Applicant is other than a small entity. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. The shortened statutory period of response is set to expire on December 9, 2003. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any deficiencies in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

No additional fee for the Amendment is required. The fee for the Amendment has been calculated as shown below:

| | | | | Small Entity | | Other Than Small Entity | |
|---|----------------------------------|------------------------------------|---------------|--------------|----------------|-------------------------|----------------|
| | Claims Remaining After Amendment | Highest Number Previously Paid For | Present Extra | Rate | Additional Fee | Rate | Additional Fee |
| Total | 68 | - 71 | = 0 | x \$ 9 | \$ | x \$ 18 | \$0 |
| Independent | 9 | - 9 | = 0 | x \$ 43 | \$ | x \$ 86 | \$0 |
| First Presentation of Multiple Dependent Claims | | | | x \$145 | \$ | x \$290 | \$0 |
| TOTAL ADDITIONAL FEE | | | | | | | \$0 |

Attorney Docket No. 217 P 759
Application No. 09/927,892
Page 2

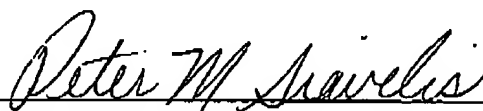
The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

X Any filing fees under 37 C.F.R. 1.16 for the presentation of extra Claims.

Respectfully submitted,

Date: November 10, 2003

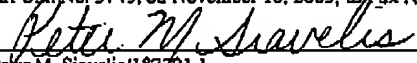
By:



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document is being facsimile transmitted to the Patent and Trademark Office, to the attention of Examiner Josiah Cocks, Art Unit No. 3743, on November 10, 2003, to Fax No. 703/872-9303.


Peter M. Siavelis/187391.1